

**ASSEMBLY BILL**

**No. 1154**

**Introduced by Assembly Member La Suer**

February 22, 2005

---

An act to amend Section 48205 of, and to repeal Section 46010.1 of, the Education Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1154, as introduced, La Suer. School districts: excused absences: parental request.

(1) Existing law authorizes a minor to obtain various medical, dental, mental health, and counseling services without the consent of his or her parent or guardian and requires the governing board of a school district to notify pupils and the parents or guardians of those pupils that school authorities may excuse a pupil from school to obtain confidential medical services without that consent. Existing law authorizes a school district to include that notice with any other notice made to a parent or guardian of a pupil pursuant to existing law.

This bill would delete that notice requirement.

(2) Existing law requires a school district to excuse a pupil from school if the absence is for the purpose of having medical, dental, optometrical, or chiropractic services rendered.

This bill, instead, would require a school district to excuse a pupil from school when the absence is for the purpose of having medical, dental, optometrical, or chiropractic services rendered, upon the written request of the parent or guardian of the pupil. To the extent that this bill would impose additional duties on a school district, the bill would create a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.

Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 46010.1 of the Education Code is  
2 repealed.

3 ~~46010.1. Commencing in the fall of the 1986-87 academic~~  
4 ~~year, the governing board of each school district shall, each~~  
5 ~~academic year, notify pupils in grades 7 to 12, inclusive, and the~~  
6 ~~parents or guardians of all pupils enrolled in the district, that~~  
7 ~~school authorities may excuse any pupil from the school for the~~  
8 ~~purpose of obtaining confidential medical services without the~~  
9 ~~consent of the pupil's parent or guardian.~~

10 ~~The notice required pursuant to this section may be included~~  
11 ~~with any other notice given pursuant to this code.~~

12 SEC. 2. Section 48205 of the Education Code is amended to  
13 read:

14 48205. (a) Notwithstanding Section 48200, a pupil shall be  
15 excused from school when the absence is:

16 (1) Due to his or her illness.

17 (2) Due to quarantine under the direction of a county or city  
18 health officer.

19 (3) For the purpose of having medical, dental, optometrical, or  
20 chiropractic services rendered, *upon the written request of the*  
21 *parent or guardian of the pupil pursuant to uniform standards*  
22 *established by the governing board.*

23 (4) For the purpose of attending the funeral services of a  
24 member of his or her immediate family, ~~so long as if~~ the absence  
25 is not more than one day if the service is conducted in California  
26 and not more than three days if the service is conducted outside  
27 California.

28 (5) For the purpose of jury duty in the manner provided for by  
29 law.

1 (6) Due to the illness or medical appointment during school  
2 hours of a child of whom the pupil is the custodial parent.

3 (7) For justifiable personal reasons, including, ~~but not limited~~  
4 ~~to,~~ an appearance in court, attendance at a funeral service,  
5 observance of a holiday or ceremony of his or her religion,  
6 attendance at religious retreats, or attendance at an employment  
7 conference, ~~when the pupil's absence has been requested in~~  
8 ~~writing by~~ *upon the written request of* the parent or guardian of  
9 *the pupil* and ~~approved by approval of~~ the principal or a  
10 designated representative pursuant to uniform standards  
11 established by the governing board.

12 (8) For the purpose of serving as a member of a precinct board  
13 for an election pursuant to Section 12302 of the Elections Code.

14 (b) A pupil absent from school under this section ~~shall be~~ *is*  
15 allowed to complete all assignments and tests missed during the  
16 absence that can be reasonably provided and, upon satisfactory  
17 completion within a reasonable period of time, shall be given full  
18 credit therefor. The teacher of ~~any~~ *a* class from which a pupil is  
19 absent shall determine the tests and assignments shall be  
20 reasonably equivalent to, but not necessarily identical to, the tests  
21 and assignments that the pupil missed during the absence.

22 (c) For purposes of this section, attendance at religious retreats  
23 shall not exceed four hours per semester.

24 (d) Absences pursuant to this section are deemed to be  
25 absences in computing average daily attendance and shall not  
26 generate state apportionment payments.

27 (e) "Immediate family," as used in this section, has the same  
28 meaning as that set forth in Section 45194, except that references  
29 therein to "employee" shall be deemed to be references to  
30 "pupil."

31 SEC. 3. If the Commission on State Mandates determines that  
32 this act contains costs mandated by the state, reimbursement to  
33 local agencies and school districts for those costs shall be made  
34 pursuant to Part 7 (commencing with Section 17500) of Division  
35 4 of Title 2 of the Government Code.